

CONSTITUTION

(Revised effective as of April 2003 business meeting)

NAME: The Name of this Association shall be:

CITIZENS ASSOCIATION OF BEVERLY ACRES

OBJECT: The object and purpose of this Association shall be:

1. Promotion of friendship, good will, understanding and happiness in our community.
2. Conservation and preservation of the rights of each property owner.
3. Preservation of the area of the subdivision as a first class neighborhood within which to live.
4. Promotion of safety and security of the property and personnel of those living within the subdivision.

ARTICLE I

MEMBERSHIP: The membership of this Association shall be limited to the people owning property within Beverly Acres and whose dues are up to date.

NEW MEMBERS: Beverly Acres subdivision property owners are all qualified for membership and will be admitted upon application and payment of dues.

VOTING:

1. Each dues paying property owner in residence and each dues paying property owner not in residence within the subdivision shall have one vote, limited to only one vote per family regardless of the number of lots the family may own.
2. Voting for Officers shall be by written secret ballot. Voting on other matters shall be as directed by the chairman.
3. Votes by proxy will be given the same weight as votes in person when the proxy is presented to the Secretary in writing, duly signed by the member voting by proxy.

QUORUM: A quorum shall consist of at least 33 1/3 % of the dues paying members of the Association, present or voting by proxy.

OFFICERS: The officers of the Association shall be:

1. President, 2. Vice President, 3. Secretary, 4. Treasurer

These to be elected at a regular meeting called for organizational purposes, and at annual meetings every second year thereafter.

The term of office shall be for two years from the date of election. No officer shall serve more than two consecutive terms. The officers shall be elected by a majority vote of the dues paying members present or voting by proxy.

DUTIES

- President:** The President shall be Chairman of all meetings of the Association and of all Meetings of the Executive Committee, shall have the power to appoint all committees and shall be an ex-officio member of all committees.
- The outgoing President shall pass minutes and records to the incoming President and shall conduct the ceremony of induction to office of the Incoming President.
- At the time of installation, the incoming President shall certify that he has studied the Constitution and By Laws of the Association, and the Covenant of Restrictions for Beverly Acres.
- Vice President:** In the absence of the President, the Vice President shall assume the duties of the President.
- The Vice President shall be Chairman of the Constitution and Bylaws Committee.
- Secretary:** The Secretary shall attend all meetings of the Association and of the Executive Committee, whether regular or called, and shall write and preserve true minutes of all such meetings. The Secretary shall conduct all correspondence incident to the affairs of the Association.
- Treasurer:** It shall be the duty of the Treasurer to make all collections and disbursements of funds. The Treasurer shall make a financial report at each annual meeting of the Association and at each quarterly meeting of the Executive Committee.
- The Treasurer is authorized to send flowers from the Association in case of death of an Association member.
- Annual Dues;** Annual dues shall be Twenty Five Dollars (\$25) per membership.
- Amendments:** This Constitution may be amended at any regular meeting of the Association by a majority vote of the dues paying members present. The proposed amendment must, however, be presented to the members at least fourteen days prior to the said regular meeting before it can be placed upon the agenda, considered and voted upon. The Voting shall be by roll call of the members present in person, or by duly presented proxy. In the event of a Tie vote the President shall cast the deciding vote.

ENACTED and ADOPTED, on this, the _____ day of _____, 20____ by the members of the CITIZENS ASSOCIATION OF BEVERLY ACRES in a meeting called for the said purpose, at _____ Knox County, Tennessee.

BYLAWS
for
CITIZENS ASSOCIATION OF BEVERLY ACRES

ARTICLE II

STANDING COMMITTEES

SECTION 1. Committee members, other than the Executive Committee, shall be selected by the chairman of each committee. All committee chairmen shall be appointed by the President. Committee members shall serve on more than one committee only when it is deemed absolutely necessary by the President.

SECTION 2. Executive Committee:

- A. Shall be composed of the President, Vice President, Secretary, Treasurer, immediate Past President, and chairman of the following standing committees: Membership and Hospitality, Community Improvement, and Safety and Security.
- B. In the event the office of the President becomes vacant, the Vice President shall automatically fill the office and serve for the remainder of the unexpired term. In the event of vacancies occurring in other offices, the Executive Committee shall be empowered to fill the vacancies for the unexpired term.
- C. Special meetings of the Association or of the Executive Committee may be called at the discretion of a majority of the Executive Committee members, or upon request to the President by five or more members whose dues are paid up to date.
- D. This Committee has the full power to act, only within the limits of this Constitution and Bylaws, in all matters pertaining to the welfare and promotion of this Association.
- E. Any active member may attend any Executive Committee Meeting. Committee chairman are especially urged to attend and participate in discussion. Only members of the Executive Committee may vote in Executive Committee meetings.

SECTION 3. Constitution and Bylaws Committee:

- A. Members, other than the Chairman, shall be appointed by the Chairman of the Committee.
- B. Shall be composed of two members, plus the Vice President as Chairman.

- C. Shall be responsible for recommending necessary changes in the Constitution and Bylaws for approval by vote of the Association as provided for in the Constitution under the heading, "Amendments".
 - 1. Shall incorporate annually all Association approved amendments of the Constitution and Bylaws into the most recently approved Constitution and Bylaws.
 - 2. Upon approval by the Executive Committee, shall publicize and have distributed copies of the revised Constitution and Bylaws to all members of the community annually. The revised copies to show the date of the revision at the top of the first page.

SECTION 4: Nominating Committee:

- A. Shall be composed of three non-Executive Committee members appointed by the President.
- B. Shall submit the name of one nominee for each office to be filled, to the assembled membership at an annual business meeting. All nominees must be active members of the Association with dues paid to date, and must give their approval to run for a specific office before their name is submitted. Committee will give written notice to full membership 14 days prior to the annual meeting at which executive offices will be elected.
- C. Nominations may be made from the floor.

SECTION 5: Audit Committee:

- A. Number of committee members to be at the discretion of the President.
- B. Shall audit the financial records of the Association at least annually or when directed to do so by the Executive Committee or by a petition of one third of the Dues Paying Members.

SECTION 6: Membership and Hospitality Committee:

- A. Members, other than the Chairman, to be appointed by the Chairman of the Committee.
- B. The number of members of this committee to be at the discretion of the committee chairman.
- C. The committee chairman will appoint one member to serve as Assistant Chairman in charge of Membership responsibilities and another member to serve as Assistant Chairman in charge of "Sunshine" duties.

- D. The Chairman of the Membership and Hospitality Committee will be responsible for all social functions.
- E. The Assistant Chairman in charge of Membership shall welcome non-member new residents into the community and inform them of the Association's objectives, purposes and activities and invite them to become members of the association. The Membership Chairman shall inform the editor of the newsletter of any new members.
- F. The Assistant Chairman in charge of "Sunshine" shall appoint a person on each street to inform the Chairman of any illnesses, hospitalization, or deaths of residents. The Sunshine Chairman shall send cards in case of illness. The Treasurer will be notified to send flowers in the event of the death of a member.
- G. Both Assistant Chairman shall keep the "Membership & Hospitality" Chairman Informed of their activities so the information can be included in the Chairman's report to the Executive Committee.
- H. Shall annually compile an up to date roster of all residents and lot owners of Beverly Acres and send a copy to all members. It should include, but not be limited to, the following:
 - 1. Date of publication
 - 2. Objective and Purpose of the Association
 - 3. Current Officers of the Association
 - 4. Association Committees and Chairman of each.
 - 5. Names, addresses and telephone numbers of all residents, listed by streets and numerically by street numbers. Non-members and lot owners to be included, but identified as such.
- I. All Committee members to serve as hosts at social functions.

SECTION 7. Community Improvement Committee:

- A. Members, other than chairman, to be appointed by Chairman.
- B. Number of members to be at the discretion of Committee Chairman.
- C. Shall make recommendations to the Executive Committee so that the community entrances, grounds, streets, street signs and other community property are kept in good condition.
- D. Shall keep a sharp watch for adverse zoning, undesirable industry, or undesirable structures, or activities which might adversely affect Beverly Acres in any way and notify the Association so that necessary measures may be taken to prevent their occurrence or development.

- E. Shall call to the attention of the Executive Committee any known violation of the Restrictive Covenant.
- F. Shall seek information from Beverly Acres residents as to problems or needs that should be brought to the attention of the Executive Committee.

SECTION 8. Safety and Security Committee:

- A. Members, other than the Chairman, to be Appointed by Chairman.
- B. Number of members to be at the discretion of the Chairman.
- C. Shall promote the safety and security of the property and people of the subdivision.

ARTICLE III

MEETINGS

SECTION 1. One annual business meeting shall be held between April 1 and May 30. Additional meetings may be called by the President, the Executive Committee or upon the request of any 5 dues paying members.

Regular meeting will be held by the Executive Committee at least quarterly. Special meetings may be held whenever the President deems it necessary or upon request of any 5 dues paying members.

ARTICLE IV

SOCIAL FUNCTIONS

SECTION 1. The Membership and Hospitality Committee is responsible for social functions under the guidance of the Executive Committee.

Subject to approval by the Executive Committee it is recommended that two or more social functions be held annually.

ARTICLE V

EXPENDITURE OF FUNDS

SECTION 1. The expenditure of funds shall be authorized by the President subject to the following restrictions:

- A. The President shall have the authority to authorize, without consulting anyone, the expenditure of up to, but not exceeding, Fifty Dollars (\$50) at any one time for the good of Beverly Acres. Such expenditures not to exceed \$100 in any one year.
- B. The President, with the approval of the Executive Committee, in meeting assembled, shall have the authority to authorize the expenditure of up to, but not exceeding, one third (1/3) of collected annual dues at any one time. Such expenditures not to exceed the sum total of annual dues collected that year.
- C. All expenditures of over one third (1/3) of collected annual dues at any one time, or of over the sum total of annual dues collected that year shall only be made upon authorization by a majority vote of dues paying members of the association in meeting assembled, with a quorum present or represented by written proxy.

SECTION 2. Checks shall be signed by both the President and the Treasurer.

ARTICLE VI

ACTION AGAINST A MEMBER OR RESIDENT

In the event the Community Improvement Committee finds a resident in violation of the Restrictive Covenant, they shall notify the President, who shall appoint a three member committee to visit the offender and make an effort to induce him to cease the violation without delay.

If this effort fails, the Executive Committee shall meet at the earliest opportunity and discuss taking legal action to enforce the Covenant. They shall notify the offender by registered mail of their intention to hold such a meeting and shall invite the offender to be present.

If the offender appears, he shall be extended every courtesy, given ample time to tell his side of the story, thanked and dismissed. The Executive Committee will then decide what action to take, limited only by Article V.

If the offender does not appear, the Executive Committee shall act, as they have full authority to do, limited only by article V.